

NOTICE OF RECEIPT

WATER RIGHT APPLICATION

(Pursuant to Section § 85-2-307(1), MCA)

Summarized below are the application details as described in an Application to Change of Appropriation Water Right received by the Department of Natural Resources & Conservation on JUNE 1, 2021. This notice reflects the application details only as originally submitted. The notice does not reflect changes to the application details made during the review process.

Application Number:76I 30152266

Applicant:COX MEDLICOTT LLC
9 CARIBOU ST
BEDFORD, MA 01730 1922

WATER RIGHT NUMBER(S) BEING CHANGED

Water Right Type	Water Right Number	Priority Date
STATEMENT OF CLAIM	76I-39614	AUGUST 31, 1892
Historical Flow Rate: 12. GPM	Historical Diverted Volume:	1.50 AC-FT

PAST USE OF WATER

WATER WAS DIVERTED FROM KELLY CREEK FOR DOMESTIC PURPOSES WHICH INCLUDED SOME LAWN AND GARDEN IRRIGATION. PLACE OF USE WAS THE NESWNW OF SECTION 15, TOWNSHIP 33N, RANGE 18W, FLATHEAD COUNTY, MT. THE HISTORIC POINT OF DIVERSION WAS IN THE SENWNW OF SECTION 15, TOWNSHIP 33N, RANGE 18W, FLATHEAD COUNTY, MT.

PROPOSED CHANGE

THE APPLICANT PROPOSES TO MOVE THE POINT OF DIVERSION FROM THE SENWNW SECTION 15, TOWNSHIP 33 NORTH, RANGE 18 WEST, FLATHEAD COUNTY, TO GOVERNMENT LOT 2, NESWNW SECTION 15, TOWNSHIP 33 NORTH, RANGE 18 WEST, FLATHEAD COUNTY. APPLICANT WILL USE MCDONALD CREEK (LAKE MCDONALD) AS A NATURAL CARRIER OF KELLY CREEK WATER TO THE NEW POINT OF DIVERSION ON LAKE MCDONALD. THE PROPOSAL WILL ALSO: UPDATE THE MEANS OF DIVERSION FROM "FLOWING" TO "PUMP"; REDUCE THE TOTAL DIVERTED VOLUME FROM 1.5 AF TO 0.46 AF PER THE APPLICANT'S HISTORIC USE DESCRIPTION; REDUCE THE PERIOD OF DIVERSION/USE FOR THE DOMESTIC PURPOSE FROM JANUARY 1 - DECEMBER 31 TO APRIL 15 - DECEMBER 15 PER THE APPLICANT'S HISTORIC USE DESCRIPTION; ASSIGN THE PERIOD OF USE FOR THE LAWN AND GARDEN PURPOSE AS MAY 1 - SEPTEMBER 30 PER THE APPLICANT'S HISTORIC USE DESCRIPTION; AND, SEPARATE OUT THE LAWN AND GARDEN IRRIGATION PURPOSE VOLUME FROM THE DOMESTIC PURPOSE VOLUME.

ADDITIONAL INFORMATION

A COMMUNITY WATER SYSTEM PROVIDED WATER TO NO MORE THAN TEN DIFFERENT CABINS IN KELLY'S CAMP. THE APPLICATION IS ONLY FOR CABIN 5. THIS COMMUNITY WATER SYSTEM WAS DESTROYED IN THE 2018 HOWE RIDGE FIRE.

In general, the department will make a preliminary determination to grant or deny this application within 120 days of the date the application is deemed correct and complete. That date is currently unknown. If the preliminary determination is to grant the application, the application will be published in the local newspaper and a notice will be sent to appropriators who, according to the department records may be affected by the proposed appropriation. Individuals will have at least 15 days and no more than 60 days (specific deadline will be identified at time of notice) to submit an objection under § 85-2-308, MCA, after the application has been published in the newspaper.

Direct questions regarding this application to the Water Resources Regional Office, 655 TIMBERWOLF PARKWAY, SUITE 4, KALISPELL, MT 59901-2387 FAX: 406-752-2843 PHONE: 406-752-2288